UNITED STATES PATENT AND TRADEMARK OFFICE

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| 10/718,343 | 11/20/2003 | James William Anderson | RPS920030124US1 | 1239 |

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| EXAMINER |
|---|
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/718,343 | ANDERSON ET AL. |
| | Examiner | Art Unit | |
| | Lin Liu | 2145 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>20 November 2003</u>.

2a)☐ This action is **FINAL**.        2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 November 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>11/20/2003 and 02/09/2007</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

1. This office action is responsive to communications filed on 11/20/2003.

Claims 1-24 are pending and have been examined.

2. The information disclosure statement (I.D.S) filed on 11/20/2003 and 02/09/2007

are considered.

### *Specification*

3. The disclosure is objected to because of the following informalities: on page 13,

line 13 of the specification recites the phrase "... from the router 16 to the *switches 16*

that traverse the network...". The examiner believes that the applicant is referring the

switches of block number *18* in fig. 1.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 4, 8, 12, 16 and 24 are rejected under 35 U.S.C. 112, second paragraph,

as being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

6. Claims 4 and 12 recite the limitation "the switches". There is insufficient

antecedent basis for this limitation in the claim.

7.      Claims 8, 16 and 24 recites the limitation "the port location". There is insufficient

antecedent basis for this limitation in the claim. For the purpose of examination, the

examiner treats it as "a location" as recited on their independent claims.


## Claim Rejections - 35 USC § 103

8.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.


9.      Claims **1-3, 8-11, 16-19 and 24** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Cochran et al. (publication no.: US 2002/0161867 A1)** in view of

**Burnett et al. (Publication no.: US 2003/0018889 A1)**

With respect to **claim 1,** Cochran teaches a method for automatically configuring

devices in a network (Cochran, fig. 1), comprising:

(b) automatically detecting when a network device is plugged into the network

(Cochran, page 4, paragraph 38, noted that configuration assembly 12 automatically

identifies new computing devices) and determining a location of the device in the

network (Cochran, page 5 paragraph 41, noted the identification system for physically

locating the computing device); and

(c) automatically configuring the device based on the policy settings associated

with the corresponding location (Cochran, page 5, paragraph 40, noted that once the

desired computing device has been identified, it is automatically configured).

However, Cochran does not explicitly teach a method of associating

preconfigured policy settings with physical locations in the network.

In the same field of endeavor, Burnett teaches a method of associating a factory

default configuration firmware with devices in the network (Burnett, page 2, paragraph

28, noted the factory default configuration.).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time of the invention to incorporate the method of associating a factory default

configuration firmware with devices in the network as taught by Burnett in Cochran's

invention in order to provide the basic utilities to operate the devices and further

configure it as needed.

With respect to **claim 2,** Cochran teaches the method of claim 1 wherein step (a)

further includes the step of: displaying a configuration screen that allows the user to

create different policy settings that specify what configuration actions are to be taken

(Cochran, fig 3, and page 5, paragraph 42, noted the user interface 132).

With respect to **claim 3,** Cochran teaches the method of claim 2 wherein step (a)

further includes the step of: saving the policy settings in a database (Cochran, pages 4-

5, paragraph 39).

With respect to **claim 8,** Cochran teaches the method of claim 1 wherein step (c)

further includes the step of: retrieving from a database the policy setting associated with

the location of the new device (Cochran, page 6, paragraph 47, noted that once the device is detected, it is automatically configured. Which implies that the configuration assembly 12 has retrieved the configuration setting from the database 120).

Consider **claim 9,** the limitations of this claim are substantially the same as those in claim 1, but rather in computer program stored in a computer-readable medium form. Therefore the same rationale for rejecting claim 1 is used to reject claim 9. By this rationale **claim 9** is rejected.

Consider **claim 10,** the limitations of this claim are substantially the same as those in claim 2. Therefore the same rationale for rejecting claim 2 is used to reject claim 10. By this rationale **claim 10** is rejected.

Consider **claim 11,** the limitations of this claim are substantially the same as those in claim 3. Therefore the same rationale for rejecting claim 3 is used to reject claim 11. By this rationale **claim 11** is rejected.

Consider **claim 16,** the limitations of this claim are substantially the same as those in claim 8. Therefore the same rationale for rejecting claim 8 is used to reject claim 16. By this rationale **claim 16** is rejected.

With respect to **claim 17,** Cochran teaches an automatic network configuration system, comprising:

a network (Cochran fig. 1);

a plurality of network devices connected to the network, including routers, and computers (Cochran fig. 1); and

a network management application executing on one of the devices for,

automatically detecting when a device is plugged into the network

(Cochran, page 4, paragraph 38, noted that configuration assembly 12

automatically identifies new computing devices) and determining a location of the

device in the network (Cochran, page 5 paragraph 41, noted the identification

system for physically locating the computing device) and

automatically configuring the device based on the policy settings associated with

the corresponding location (Cochran, page 5, paragraph 40, noted that once the desired

computing device has been identified, it is automatically configured).

However, Cochran does not explicitly teach a method of providing switches in the

network and a method of associating preconfigured policy settings with physical

locations in the network.

In the same field of endeavor, Burnett teaches a method providing switches in

the network (Burnett, page 1, paragraph 17) and a method of associating a factory

default configuration firmware with devices in the network (Burnett, page 2, paragraph

28, noted the factory default configuration.).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time of the invention to incorporate the method of providing more switches in the

network and the method associating a factory default configuration firmware with

devices in the network as taught by Burnett in Cochran's invention in order to provide

more connections for the network segments and the basic utilities to operate the

devices and further configure it as needed correspondingly.

Consider **claim 18,** the limitations of this claim are substantially the same as those in claim 2. Therefore the same rationale for rejecting claim 2 is used to reject claim 18. By this rationale **claim 18** is rejected.

Consider **claim 19,** the limitations of this claim are substantially the same as those in claim 3. Therefore the same rationale for rejecting claim 3 is used to reject claim 19. By this rationale **claim 19** is rejected.

Consider **claim 24,** the limitations of this claim are substantially the same as those in claim 8. Therefore the same rationale for rejecting claim 8 is used to reject claim 24. By this rationale **claim 24** is rejected.

Claims 4-7, 12-15, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cochran et al. (publication no.: US 2002/0161867 A1)** in view of **Burnett et al. (Publication no.: US 2003/0018889 A1)** and **Simpson et al. (Publication no.: US 2003/0014529 A1).**

With respect to **claim 4,** the combined method of Cochran and Burnett teaches all the claimed limitations except that they do not explicitly teach the method of detecting and locating the network device by transmitting SNMP queries.

In the same field of endeavor, Simpson teaches the method of detecting and locating the network device by transmitting SNMP queries (Simpson, page 4, paragraph 38).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the method of detecting and locating the network

device by transmitting SNMP queries as taught by Simpson in the combined method of

Cochran and Burnett invention in order to use the benefit of the standard protocol.

With respect to **claim 5,** Cochran teaches the method of claim 4 wherein step (b)

further includes the step of: determining which port on the network the device is plugged

into (Cochran, pages 3-4, paragraph 34, noted the TCP/IP port).

With respect to **claim 6,** Cochran teaches the method of claim 5 wherein step (b)

further includes the step of: detecting any combination of newly added devices including

routers, switches, computers, and server blades (Cochran, page 4, paragraphs 37-38).

With respect to **claim 7,** Cochran teaches the method of claim 6 wherein step (b)

further includes the step of: detecting processor blades and switches added to existing

server blades (Cochran, page 4, paragraphs 37-38, noted the servers).

Consider **claim 12,** the limitations of this claim are substantially the same as

those in claim 4. Therefore the same rationale for rejecting claim 4 is used to reject

claim 12. By this rationale **claim 12** is rejected.

Consider **claim 13,** the limitations of this claim are substantially the same as

those in claim 5. Therefore the same rationale for rejecting claim 5 is used to reject

claim 13. By this rationale **claim 13** is rejected.

Consider **claim 14,** the limitations of this claim are substantially the same as

those in claim 6. Therefore the same rationale for rejecting claim 6 is used to reject

claim 14. By this rationale **claim 14** is rejected.

Consider **claim 15,** the limitations of this claim are substantially the same as those in claim 7. Therefore the same rationale for rejecting claim 7 is used to reject claim 15. By this rationale **claim 15** is rejected.

Consider **claim 20,** the limitations of this claim are substantially the same as those in claim 4. Therefore the same rationale for rejecting claim 4 is used to reject claim 20.  By this rationale **claim 20** is rejected.

Consider **claim 21,** the limitations of this claim are substantially the same as those in claim 5. Therefore the same rationale for rejecting claim 5 is used to reject claim 21. By this rationale **claim 21** is rejected.

Consider **claim 22,** the limitations of this claim are substantially the same as those in claim 6. Therefore the same rationale for rejecting claim 6 is used to reject claim 22. By this rationale **claim 22** is rejected.

Consider **claim 23,** the limitations of this claim are substantially the same as those in claim 7. Therefore the same rationale for rejecting claim 7 is used to reject claim 15. By this rationale **claim 23** is rejected.


### *Conclusion*

10.    The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

* Bahl et al. (patent no.: US 7,051,087 B1) discloses a method for automatic detection and configuration of network parameters.

11.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lin Liu whose telephone number is (571) 270-1447.

The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jason Cardone can be reached on (571) 272-3933.  The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

L. Liu
08/22/2007

JASON CARDONE
SUPERVISORY PATENT EXAMINER